UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/520,004	12/29/2004	Raymond Hallot	33900-169PUS	7014
27799 COHEN. PON	7590 12/13/2007 TANI, LIEBERMAN &		EXAM	INER
551 FIFTH AV	•		HOOK, J	AMES F
SUITE 1210 NEW YORK, 1	NY 10176		ART UNIT	PAPER NUMBER
•			3754	
			MAIL DATE	DELIVERY MODE
			12/13/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	H H					
		Application No. Applicant(s)				
		10/520,004	HALLOT ET AL.			
,	Office Action Summary	Examiner	Art Unit			
		James F. Hook	3754			
Period fo	The MAILING DATE of this communication app or Reply	ears on the cover sheet with the c	orrespondence address			
WHI( - Exte after - If NC - Failu Any	ORTENED STATUTORY PERIOD FOR REPLY CHEVER IS LONGER, FROM THE MAILING DANS IN THE MAIL	ATE OF THIS COMMUNICATION 36(a). In no event, however, may a reply be tim vill apply and will expire SIX (6) MONTHS from cause the application to become ABANDONEI	L. ely filed the mailing date of this communication. (35 U.S.C. § 133).			
Status		·	•			
	Responsive to communication(s) filed on <a href="mailto:29 December 2004">29 December 2004</a> .  This action is <b>FINAL</b> .  2b) This action is non-final.  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <a href="mailto:Ex parte Quayle">Ex parte Quayle</a> , 1935 C.D. 11, 453 O.G. 213.					
Disposit	ion of Claims					
5) 6) 7)	Claim(s) 1-33 is/are pending in the application.  4a) Of the above claim(s) is/are withdraw Claim(s) is/are allowed.  Claim(s) is/are rejected.  Claim(s) is/are objected to.  Claim(s) 1-33 are subject to restriction and/or expressions.	vn from consideration.				
Applicat	ion Papers					
10)□	The specification is objected to by the Examine The drawing(s) filed on is/are: a) access applicant may not request that any objection to the Replacement drawing sheet(s) including the correction The oath or declaration is objected to by the Examine	epted or b) objected to by the Eddrawing(s) be held in abeyance. See ion is required if the drawing(s) is obj	e 37 CFR 1.85(a). ected to. See 37 CFR 1.121(d).			
Priority (	ınder 35 U.S.C. § 119	•	,			
12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) Some * c) None of:  1. Certified copies of the priority documents have been received.  2. Certified copies of the priority documents have been received in Application No.  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.						
	t(s) ce of References Cited (PTO-892) ce of Draftsperson's Patent Drawing Review (PTO-948)	4)				
3) Infor	mation Disclosure Statement(s) (PTO/SB/08) or No(s)/Mail Date	5) Notice of Informal P 6) Other:				

## Election/Restrictions

This application contains claims directed to more than one species of the generic invention. These species are deemed to lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1.

The species are as follows:

Figures 1, 2, 3, 4, 5, 13, 17, and 20; and

There are two types of insulation being claimed, that of claims 11 and 13 which are different types of insulation used to form an insulation layer.

Applicant is required, in reply to this action, to elect a single species to which the claims shall be restricted if no generic claim is finally held to be allowable. The reply must also identify the claims readable on the elected species, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered non-responsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

The claims are deemed to correspond to the species listed above in the following manner:

The claims recite different types of insulation as set forth above between claims 11 and 13, and the remaining claims define structure that is set forth in claims where an additional structure appears in the different embodiments which are not required in the

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other embodiments such as the inclusion of additional insulating layers, the shape of the insulation as well as if partitions are provided and where they are provided.

The following claim(s) are generic: at least claim 1 is generic to all species.

The species listed above do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, the species lack the same or corresponding special technical features for the following reasons: they special technical features of each type of insulation are different and therefore lead to a different final article, and the special technical features of embodiments with partitions is different from embodiments not requiring partitions to function, as well as the shape of the insulation which would relate to whether such matches the casing it is placed in or provides gaps which would provided different technical features in that gaps would provide a different structure to a casing completely filled with insulation.

Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

The election of an invention or species may be made with or without traverse. To reserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

Should applicant traverse on the ground that the inventions or species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the inventions or species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C.103(a) of the other invention.

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Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James F. Hook whose telephone number is (571) 272-4903. The examiner can normally be reached on Monday to Wednesday, work at home Thursdays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kevin Shaver can be reached on (571) 272-4720. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

James F. Hook
Primary Examiner
Art Unit 3754

JFH